

Received Event (Event Succeeded)

Date: 12/15/98
Pages: 4
Fax Number:
Company:

Time: 3:31 PM
Sender:
Subject:
Type: Fax

Official

DEC 15 '98 15:41 FR

TO 917033053599

P.01

FAX RECEIVED

DEC 15 1998

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GROUP 1700

Applicants: J. Bednorz et al.

Date: December 15, 1998

Serial No. 08/303,561

Group Art Unit: 1105

Filed: September 9, 1994

Examiner: M. Kopec

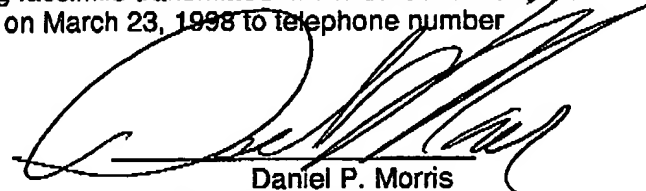
For: NEW SUPERCONDUCTIVE COMPOUNDS HAVING HIGH
TRANSITION TEMPERATURE, AND METHODS FOR THEIR
USE AND PREPARATION

The Commissioner of Patents and Trademarks
Washington, D.C. 20231

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted under 37 CFR 1.61(d) to the U.S. Patent and Trademark Office on March 23, 1998 to telephone number 703-305-3599.

*DO NOT
ENTER
mk*



Daniel P. Morris
Reg. No. 32,053

AMENDMENT AFTER FINAL REJECTION UNDER 37 CFR 1.116

Attached is an affidavit under 37 CFR 1.132 of Dr. James W. Leonard, IBM research librarian. Dr. Leonard did a search of articles referencing applicants article J. G. Bednorz and K. A. Muller, Zeitschrift fur Physik B- Condensed Matter, 64, pp. 189-193 (Sept. 1986) which is incorporated by reference in the specification at page 6, lines 8-10. As stated at page 6 this article is the basis for applicants invention. More than 5800 articles have referenced applicants' article. This is evidence that applicants' teaching in the present application has motivated persons of skill in the art to work in

YO987-074BY

Received Event (Event Succeeded)

Date: 12/15/98
Pages: 4
Fax Number:
Company: DEC 15 '98 15:42 FR

Time: 3:31 PM
Sender:
Subject:
Type: TO 917233053599 P.02
Fax

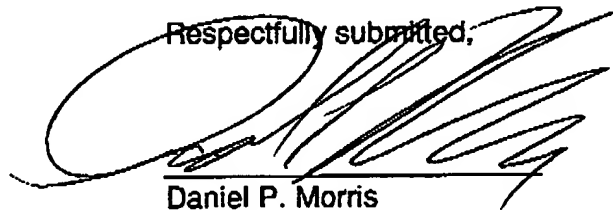
the field of high T_c superconductivity and that applicants teaching has fully enabled the invention of their claims. All these articles citing applicants' article acknowledge that their work is based on applicants' teaching. Thus applicants respectfully request the withdrawal of the rejection of applicants' claims under 35 USC 112 as lacking enablement.

In view of the changes to the claims and the remarks herein, the Examiner is respectfully requested to reconsider the above-identified application. If the Examiner wishes to discuss the application further, or if additional information would be required, the undersigned will cooperate fully to assist in the prosecution of this application.

Please charge any fee necessary to enter this paper to deposit account 09-0468.

If the above-identified Examiner's Action is a final Action, and if the above-identified application will be abandoned without further action by applicants, applicants file a Notice of Appeal to the Board of Appeals and Interferences appealing the final rejection of the claims in the above-identified Examiner's Action. Please charge deposit account 09-0468 any fee necessary to enter such Notice of Appeal.

Respectfully submitted,



Daniel P. Morris
Reg. No. 32,053

IBM Corporation
Intellectual Property Law Dept.
P.O. Box 218
Yorktown Heights, N.Y. 10598
(914) 945-3217

YO987-074BY

2

2